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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,514	03/22/2004	Shaul Levi	112229-002DIV	3394
27189 7590 09/17/2007 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B STREET SUITE 2100 SAN DIEGO, CA 92101			EXAMINER WANG, LIANG CHE A	
			ART UNIT 2155	PAPER NUMBER
			NOTIFICATION DATE 09/17/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com  
PTONotifications@procopio.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/807,514	<b>Applicant(s)</b> LEVI ET AL.	
	<b>Examiner</b> Liang-che Alex Wang	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/20/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-10 are presented for examination.

***Paper Submitted***

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 12/20/2004 is considered.

***Claim Objections***

3. Claims 1-10 are objected to because of the following informalities:
4. Referring to claim 1, line 5, the term "said QA" should be changed to "said quality assurance"; line 6, "said assurance procedure" should be changed "said quality assurance procedure".
5. Referring to claim 10, claim 10 should be depend on claim 9 instead of claim 30.
6. All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 4 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Referring to claim 4, claim 4 resides the limitation "checking secure information ..." renders the claim vague and indefinite. The limitation "checking secure information ..." conflicts with the limitation resides in claim 1, "said QA procedure being other than any security check".
10. Referring to claim 8, the limitation "not transmitting said data if said quality is not assured" conflict with the limitation of claim 1 "transmitting said data over said Internet responsive to said assurance procedure".

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis et al., US Patent Number 6,233,565, hereinafter Lewis.
13. Referring to claim 1, Lewis teaches a method of data transmission comprising:

- a. receiving a request for data over an Internet (Col 4 lines 16-17, Internet), by a data provider (Col 4 lines 13-15, server corresponds to data provider) (Col 4 lines 25-27, user issues a request to server for transaction);
  - b. obtaining data, in response to said request, at said data provider (Col 4 lines 31-35);
  - c. performing a quality assurance procedure on said obtained data, responsive to said request, at said provider said QA procedure being other than any security check (Col 22 lines 8-9, 16-20, Col 37 lines 57-60); and
  - d. transmitting said data over said Internet responsive to said assurance procedure (Col 4 lines 32-33).
14. Referring to claim 2, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said data to said request (Col 22 lines 8-9, 16-20, user's request comprises a private key, and the private key is compared with the stored hash).
15. Referring to claim 3, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said data to stored data (Col 22 lines 18-20).
16. Referring to claim 4, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking secure information associated with said data (Col 11 lines 46-57).
17. Referring to claim 5, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a limited usage-code

associated with said data (Col 18 lines 10-32, user is allowed to change and view his postage usage).

18. Referring to claim 6, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a one-way hash function of said data (Col 29 lines 12-18, Col 22 lines 18-20).
19. Referring to claim 7, Lewis teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises analyzing a content of said data (Col 37 lines 57-60, all changes are analyzed).
20. Referring to claim 8, Lewis teaches the method according to claim 1, wherein transmitting said data responsive to said assurance procedure comprises not transmitting said data if said quality is not assured (Col 29 lines 17-19).
21. Referring to claim 9, Lewis teaches the method according to claim 1, comprising:  
receiving said data by a user of said data (Col 4 lines 31-35); and second performing a quality assurance procedure on said data, at said user (Col 4 lines 36-38).
22. Referring to claim 10, Lewis teaches the method according to claim 30, wherein said second performing a quality assurance procedure comprises checking a digital signature of said data (Col 4 lines 36-37, 42-43).

### *Conclusion*

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by

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the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang  
September 6, 2007

